DOCUMENT RESUME

ED 087 175 EC 061 211

TITLE	Relatives' Responsibility; Policy Statement.
INSTITUTION	American Foundation for the Blind, New York, N.Y.
PUB DATE	Oct 68
NOTE	2p.
EDRS PRICE	MF-$0.65 HC-$3.29
DESCRIPTORS	Blind; *Exceptional Child Services; *Legal Responsibility; Legislation; National Organizations; Partially Sighted; Public Policy; *Visually Handicapped; *Welfare Services
IDENTIFIERS	*American Foundation for the Blind

ABSTRACT

Presented by the American Foundation for the Blind (AFB) are background information and a policy statement on responsibility laws pertaining to relatives of applicants for public assistance. The laws are said to date to the Elizabethan Poor Laws, to vary state to state, and to mandate eligibility for public assistance on requirements of residence, family inability to support the applicant, and proven unemployability of the applicant. Given are seven arguments proponents use such as public care is not the sole responsibility of the state. Seven arguments of proponents are given such as the government has primary responsibility for the relief of poverty. The stated AFB policy recognizes the responsibility of government to alleviate poverty, opposes any form of discrimination in the distribution of federal funds, and, thus, proposes elimination of laws invoking relatives' responsibility as a prerequisite to receipt of public assistance by all persons including the blind and otherwise visually impaired. (MC)

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Policy Statement

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BACKGROUND

Present laws on relatives' responsibility are rooted in the Elizabethean Poor Laws and, in many of our states, have changed very little in the more than three centuries of their existence. For example, the three basic prerequisites for eligibility to receive public assistance were then, and are now, settlement or residence, inability of the family to support the applicant and proven unemployability of the applicant.

These laws vary from state to state in scope, the degree to which they are enforced and the family members who may be involved. Some states invoke the responsibility when a family member applies for public assistance. At the other extreme, there are states which impose a permanent responsibility under all circumstances.

Proponents of keeping and enforcing laws on relatives' responsibility insist that:

1. Enforcement saves the state vast amounts of money.
2. It is conducive to family solidarity.
3. It is the moral duty of the family to help its needy members.
4. It is justified by its existence for over three centuries.
5. It prevents family abandonment of mentally ill, retarded or indigent relatives.
6. Public care is not solely the responsibility of the state.
7. Non-enforcement would increase the public relief rolls.

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Opponents of compulsory family responsibility argue that:

1. The government has the primary responsibility for the relief of poverty.

2. It is discriminatory against a single group who are, in a sense, taxed over and above the regular taxes for which they and all others are liable.

3. Since most relatives of the poor are also poor, these laws increase and spread the incidence of poverty.

4. In applying the means test, the confidentiality of the applicant is violated.

5. It tends to increase family tensions, hostilities and divisions.

6. It lessens public responsibility at the cost of increasing poverty in that many people do not apply for assistance to avoid involving relatives.

7. Relatives are given very little opportunity to assess their own ability to contribute.

POLICY

The American Foundation for the Blind recognizes the responsibility of government to alleviate poverty. It opposes any form of discrimination in the distribution of federal funds. Consequently, the AFB proposes the elimination of laws invoking relatives' responsibility as a prerequisite to receipt of public assistance by all persons including those who are blind or otherwise visually impaired since they discriminate both against the recipient and his family.

October 1968